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June 23, 2004

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VIA HAND DELIVERY

The Honorable John Ashcroft
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

RE: *Request for Department of Justice Investigation of Complaints Against Waffle House Alleging A Pattern and Practice of Discrimination in Public Accommodations.*

Dear Mr. Attorney General:

We write to request your attention to the possibility of significant infringements of the rights of African Americans to equal enjoyment of public accommodations at Waffle House restaurants, similar to the ones recently disclosed at Cracker Barrel. Continuing reports of race discrimination at Waffle House restaurants throughout the country have resulted in dozens of individual civil rights lawsuits against Waffle House and seem to us to justify your evaluation of whether "pattern and practice" litigation by the Civil Rights Division would be advisable.

Our review of complaints from constituents, media reports and pleadings filed by some the country's most highly respected lawyers indicates that hundreds of African Americans allege that they experienced race discrimination in seeking service at various Waffle House restaurants throughout the United States. This pattern of discrimination seems not to have changed in response to individual lawsuits, some of which have been adjudicated or settled on confidential terms.

The discrimination alleged by African Americans seems to occur almost always in the context of small marketplace transactions where speed and convenience are significant features of the product being purchased. While denial of service or hostile or delayed service is often

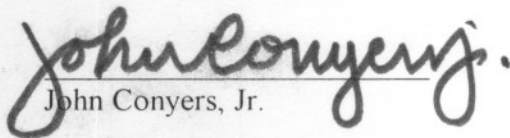
The Honorable John D. Ashcroft
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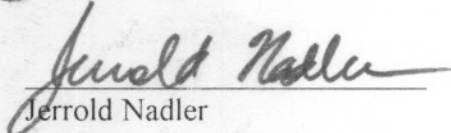
dismissed under these circumstances as just a fact of life, many African American citizens are standing up to this discrimination. They allege that Waffle House has been remarkably unresponsive to their complaints, either at individual restaurants or at the corporate headquarters.

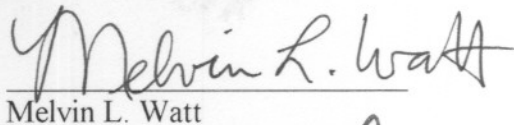
While some of these citizens are fortunate to have widely respected lawyers and law firms to represent them, we have serious concerns that individual litigation is not delivering the message to Waffle House that discrimination, whether on a grand scale or in a pattern of individual instances, is no longer acceptable in our society. We believe that the DOJ is perfectly positioned to conduct an investigation to determine if there is indeed a pattern and practice of discrimination and, if the investigation suggests that there is, to utilize the "pattern and practice" litigation techniques that are not available to individual litigants.

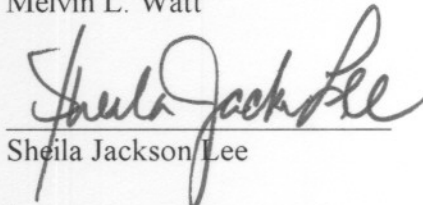
This alleged pattern of discrimination, as reprehensible and as inconsistent with Waffle House's own self-interest as it may be, will continue for the foreseeable future unless the Department of Justice takes action. We, therefore, encourage you to take action to stop this unacceptable conduct.

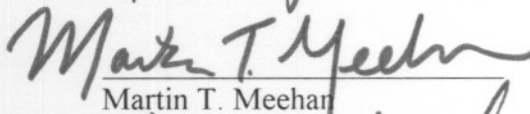
Sincerely,

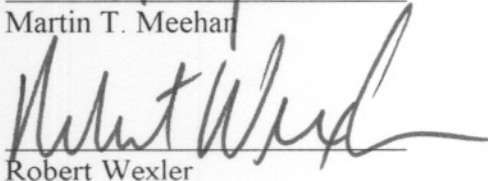

John Conyers, Jr.

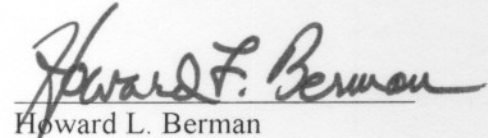

Jerrold Nadler


Melvin L. Watt


Sheila Jackson Lee

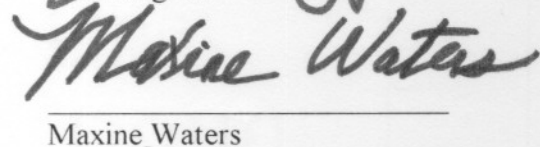

Martin T. Meehan

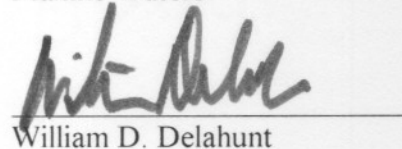

Robert Wexler

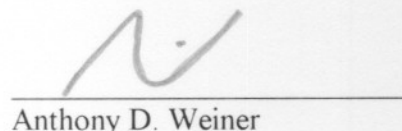

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